

REMARKS

I. Status of Claims

Claims 1-14, 16-34, and 37-39 are pending in this application. By this Amendment, the Applicants have amended claims 1, 7-9, 23-25, and 37 and have cancelled claims 15, 35, and 36. Claims 16-22 have been withdrawn from consideration as directed to a non-elected invention. Reconsideration is respectfully requested in view of the above amendments and the following remarks.

II. Rejection under 35 U.S.C. §112

Claim 1 has been rejected under 35 U.S.C. §112 as indefinite. The Examiner has requested that the term “client computer” be used in place of “client”. The recommended substitutions have been made. Accordingly, withdrawal of the rejection is respectfully requested.

III. Rejection under 35 U.S.C. §102

Claims 1-4, 6-9, 12, 14, 15, 23-25, 33-35, and 37 have been rejected under 35 U.S.C §102(e) over U.S. Patent No. 6,199,180 to Ote et al (hereinafter “Ote”). This rejection is respectfully traversed.

In embodiments of the present invention, a client computer 74 is connected with a managing computer 80 over a network 78. The client computer 74 includes a computing component 82 having its own processor 88. The computing component 82 is connected with the managing computer 80 over a second network 84.

Ote discloses a computer management system including a managing computer 23, a computer to be managed 10, a service processor board (SVP) 12, and a remote managing computer 27. The

managing computer 23 is connected to the computer to be managed 10 over a LAN 22. The remote managing computer 27 is connected with the computer 10 and the SVP 12 using a public line 25. Ote requires multiple managing computers and the SVP 12 shares a communication path 25 with the computer to be managed. Accordingly, the disclosure of Ote differs in several respects from the claimed invention.

With regard to independent claim 1, Ote fails to disclose a client computer managed by a remote management machine over a first communication path and a remote management processor operable to selectively control the client computer independently of the client processor in response to instructions received over a second distinct communication path from the remote management machine. Accordingly, since Ote fails to show each and every feature of claim 1, Ote fails to anticipate claim 1.

Claims 2-4 and 6 depend from claim 1 and define further distinctive features of the invention. Accordingly, claims 2-4 and 6 define over the art of record for at least the reasons stated above with respect to claim 1.

With regard to independent claim 7, Ote fails to disclose a computer readable medium having computer executable components including a first communication component operable to selectively control a client over a first communication path in a client networked environment, and a second communication component for communicating with a remote manager over a second distinct communication path independently of the client networked environment.

Claims 8, 9, 12, and 14 depend from claim 7 and define further distinctive features of the invention. Accordingly, claims 8, 9, 12, and 14 are allowable over the art of record for at least the reasons set forth above with respect to claim 7.

With regard to claim 23, Ote fails to disclose method steps including remotely controlling the client by communicating with the computing component over a first communication path using a remote manager and managing the client with the remote manager over a second communication path using a second network component installed on the client computer.

Claims 24, 25, 33, 34, and 37 depend from claim 23 and define further distinctive features of the invention. Accordingly, these claims are allowable for at least the reasons explained above with respect to claim 23.

Claims 15 and 35 have been canceled thereby rendering the rejection moot with respect to these claims.

For the reasons explained above, applicants respectfully submit that claims 1-4, 6-9, 12, 14, 23-25, 33, and 34 are allowable over the art of record. Withdrawal of the rejection is therefore respectfully requested.

IV. Rejections under 35 U.S.C. §103

Claims 5 and 36 have been rejected under 35 U.S.C. §103 over Ote. This rejection is respectfully traversed. Claim 5 depends from claim 1 and is therefore allowable over Ote for at least the reasons set forth above with respect to claim 1. Claim 36 has been cancelled, thereby rendering the rejection moot. Withdrawal of the rejection is therefore respectfully requested.

Claims 13, 26-31, and 38 have been rejected under 35 U.S.C. §103 over Ote in view of U.S. Patent No. 6,578,077 to Rakoshitz et al. "hereinafter Rakoshitz". This rejection is respectfully traversed.

Rakoshitz discloses a traffic monitoring tool and fails to obviate the deficiencies of Ote. Even if combined, Ote and Rakoshitz would have failed to arrive at the claimed invention. Claims

13, 26-31, and 38 define further distinctive features of the invention and depend from claims 7 and 23 respectively. Accordingly, these claims are allowable for at least the reasons explained above with respect to claims 7 and 23. Withdrawal of the rejection is therefore respectfully requested.

V. Conclusion

Applicants respectfully request allowance of the pending claims in light of the amendments and the above comments. If the Examiner believes that an interview will advance the prosecution of the application, she is invited to contact the undersigned at 202-639-5647. The Commissioner is hereby authorized to charge any additional fees that are required or credit any overpayment to Deposit Account No.19-2112 referencing MFCP 69390.

Respectfully submitted,

Dated: December 5, 2004



Kerry H. Owens
Reg. No. 37,412

SHOOK, HARDY & BACON L.L.P.
One Kansas City Place
1200 Main Street
Kansas City, Missouri 64105-2118
816/474-6550